



JFW / AF

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

Application Number

10/715,186

Filing Date

11/17/2003

First Named Inventor

Conaway

Art Unit

1723

Examiner Name

Reifsnnyder

Attorney Docket Number

RB-108

ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/
Incomplete Application



Reply to Missing Parts
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a
Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board
of Appeals and Interferences



Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify
below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Robert C. Brown

Signature

Robert C. Brown

Printed name

Robert C. Brown

Date

12/30/2005

Reg. No.

37,057

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Robert C. Brown

Typed or printed name

Robert C. Brown

Date

12/30/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant: L. Conaway et al.
5 Serial Number: 10/715,186
Filing Date: 11/17/2003
Title: **METHOD AND APPARATUS FOR SEPARATING BITUMEN
FROM PARTICULATE SUBSTRATES**
Examiner: D. Reifsnnyder, Art Unit 1723
10 Attorney Docket No.: RB-0108

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

15

RESPONSE AFTER FINAL REJECTION

Sir:

In response to a Second Office Action dated 11/01/2005
20 finally rejecting all claims, Applicants respectfully request
that the amendments and remarks presented herein be entered into
the case to position the claims in better form for consideration
on Appeal. Pursuant to 37 CFR 1.1116(b), Applicants respectfully
submit that the reasons these amendments and remarks were not
25 earlier presented and are now necessary are the Examiner's new
grounds for rejection not presented earlier for rebuttal by
Applicants in their previous response.

Applicants further request that Applicants' Agent be
notified immediately at the telephone number shown below if these
30 amendments and remarks may not be entered into the case.

Amendment to the Specification is shown on page 2 of this
paper.

Amendments to the Claims are reflected in the listing of
claims which begins on page 3 of this paper.

35 Remarks begin on page 9 of this paper.